IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 33743 of 2006(P)

PETITIONER:

C.T.SICILY, LPSA,
AIDED L.P.SCHOOL, KALATHODE, THRISSUR,
RESIDING AT PULIKOTTIL HOUSE, ATHANI P.O.,
THRISSUR-680 771.

BY ADV. SRI.K.JAJU BABU
SMT.M.U.VIJAYALAKSHMI
SRI.BRIJESH MOHAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, GOVT. SECRETARIAT, TRIVANDRUM.

2. THE JOINT DIRECTOR OF PUBLIC
INSTRUCTION, TRIVANDRUM.

3. THE DEPUTY DIRECTOR OF EDUCATION,
THRISSUR.

4. THE ASSISTANT EDUCATIONAL OFFICER,
THRISSUR EAST, THRISSUR-680 020.

5. THE MANAGER, AIDED L.P.SCHOOL,
KALATHODE, THRISSUR.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 33743 OF 2006

Dated this the 25th day of July, 2007

J U D G M E N T

Petitioner was initially appointed in the school under the management of respondent No.5 in a leave vacancy with effect from January 8, 1996 till March 15, 1996. Thereafter she was again appointed in another leave vacancy with effect from September 19, 1997. The manager had appointed her yet again with effect from October 1998 till her retrenchment on July 14, 2005 on the ground that she was not in service on the cut off date viz. July 14, 1997.

2. Petitioner has raised various contentions in support of her plea that she was entitled to get the benefit of protection. Though petitioner had approached the Government on an earlier occasion, she did not get any relief. According to the petitioner, she was not aware of Ext.P5 Govt. order at that point of time. Therefore she had submitted Ext.P6 representation before respondent No.1 way back in December 2006. No decision has been taken on the said representation so far. Petitioner has also produced the postal acknowledgment card to show that Ext.P6 had been, in fact, received

by respondent No.1, as contended by her. Anyhow, I do not propose to deal with any of the contentions in view of the limited prayer made by the learned counsel for the petitioner at the Bar.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P6 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate within four months from the date of receipt of a copy of this judgment. Respondent No.1 shall keep in view Ext.P5 order of the Government, while taking a decision in the matter, which according to the petitioner justifies her contention.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007